

(iv) in the case of another public building for which an Executive agency has, by specific or general statutory authority, jurisdiction, custody, and control over the building, the head of that agency;

(B) with respect to the Supreme Court Building, the Marshal of the Supreme Court; with respect to the Thurgood Marshall Federal Judiciary Building, the Director of the Administrative Office of United States Courts; and with respect to all other public buildings owned or leased for use by an establishment in the judicial branch of government, the General Services Administration in consultation with the United States Marshals Service; and

(C) with respect to a public building owned or leased for use by an establishment in the legislative branch of government, the Capitol Police Board.

(4) Executive agency

The term “Executive agency” has the same meaning such term has under section 105 of title 5.

(5) Federal agency

The term “Federal agency” means any Executive agency or any establishment in the legislative or judicial branches of the Government.

(6) Public building

The term “public building” means any building (or portion thereof) owned or leased for use by a Federal agency.

(Pub. L. 108–21, title III, § 362, Apr. 30, 2003, 117 Stat. 665.)

CODIFICATION

Section was enacted as part of the Code Adam Act of 2003 and also as part of the Prosecutorial Remedies and Other Tools to end the Exploitation of Children Today Act of 2003, also known as the PROTECT Act, and not as part of the Juvenile Justice and Delinquency Prevention Act of 1974 which comprises this chapter.

SHORT TITLE

For short title of subtitle D of title III of Pub. L. 108–21, which enacted this part, as the “Code Adam Act of 2003”, see section 361 of Pub. L. 108–21, set out as a note under section 5601 of this title.

§ 5792a. Procedures in public buildings regarding a missing or lost child

(a) In general

Not later than 180 days after April 30, 2003, the designated authority for a public building shall establish procedures for locating a child that is missing in the building.

(b) Notification and search procedures

Procedures established under this section shall provide, at a minimum, for the following:

- (1) Notifying security personnel that a child is missing.
- (2) Obtaining a detailed description of the child, including name, age, eye and hair color, height, weight, clothing, and shoes.
- (3) Issuing a Code Adam alert and providing a description of the child, using a fast and effective means of communication.

- (4) Establishing a central point of contact.
- (5) Monitoring all points of egress from the building while a Code Adam alert is in effect.
- (6) Conducting a thorough search of the building.
- (7) Contacting local law enforcement.
- (8) Documenting the incident.

(Pub. L. 108–21, title III, § 363, Apr. 30, 2003, 117 Stat. 666.)

CODIFICATION

Section was enacted as part of the Code Adam Act of 2003 and also as part of the Prosecutorial Remedies and Other Tools to end the Exploitation of Children Today Act of 2003, also known as the PROTECT Act, and not as part of the Juvenile Justice and Delinquency Prevention Act of 1974 which comprises this chapter.

CHAPTER 73—DEVELOPMENT OF ENERGY SOURCES

Sec.

5801. Congressional declaration of policy and purpose.

- (a) Development and utilization of energy sources.
- (b) Necessity of establishing Energy Research and Development Administration.
- (c) Separation of licensing and regulatory functions of Atomic Energy Commission.
- (d) Small business participation.
- (e) Priorities.

SUBCHAPTER I—ENERGY RESEARCH AND DEVELOPMENT ADMINISTRATION

5811. Establishment of Energy Research and Development Administration.

5812. Officers of Administration.

- (a) Administrator; appointment.
- (b) Deputy Administrator.
- (c) Qualifications of Administrator and Deputy Administrator.
- (d) Assistant Administrators; number; appointment; qualifications.
- (e) General Counsel.
- (f) Additional officers.
- (g) Director of Military Application; functions; qualifications; compensation.
- (h) Allocation of functions; responsibility for international cooperation.
- (i) Order of succession.

5813. Responsibilities of Administrator.

5814. Abolition and transfers.

- (a) Abolition of Atomic Energy Commission.
- (b) Transfer or lapse of functions of Atomic Energy Commission.
- (c) Functions of Atomic Energy Commission transferred to Administrator.
- (d) Transfer of General Advisory Committee, Patent Compensation Board, and Divisions of Military Application and Naval Reactors to Administration.
- (e) Transfer to Administrator of certain functions of Secretary of the Interior and Department of the Interior; study of potential energy application of helium; report to President and Congress.
- (f) Transfer to Administrator of certain functions of National Science Foundation.
- (g) Transfer to Administrator of certain functions of Environmental Protection Agency.

Sec.		Sec.	
	(h) Exercise of authority necessary or appropriate to perform transferred functions and carry out transferred programs.		(i) Requirements respecting transfers of sums appropriated for operating expenses to other Government agencies; merger of transferred sums.
	(i) Utilization of technical and management capabilities of other executive agencies; assignment of specific programs or projects in energy research and development.	SUBCHAPTER II—NUCLEAR REGULATORY COMMISSION; NUCLEAR WHISTLEBLOWER PROTECTION	
5815.	Administrative provisions.	5841.	Establishment and transfers.
	(a) Rules and regulations.		(a) Composition; Chairman; Acting Chairman; quorum; official spokesman; seal; functions of Chairman and Commission.
	(b) Policy planning and evaluation.		(b) Appointment of members.
	(c) Delegation of functions.		(c) Term of office.
	(d) Organization.		(d) Submission of appointments to Senate.
	(e) Field offices.		(e) Removal of members; prohibition against engagement in business or other employment.
	(f) Seal.		(f) Transfer of licensing and regulatory functions of Atomic Energy Commission.
	(g) Working capital fund.		(g) Additional transfers.
	(h) Information from other agencies.	5842.	Licensing and related regulatory functions respecting selected Administration facilities.
5816.	Personnel and services.	5843.	Office of Nuclear Reactor Regulation.
	(a) Appointment and compensation of officers and employees.		(a) Establishment; appointment of Director.
	(b) Employment of experts and consultants.		(b) Functions of Director.
	(c) Participation of military personnel.		(c) Responsibility for safe operation of facilities.
	(d) Status of military personnel unaffected.	5844.	Office of Nuclear Safety and Safeguards.
	(e) Transportation and per diem expenses.		(a) Establishment; appointment of Director.
	(f) Personnel of other agencies.		(b) Functions of Director.
	(g) Advisory boards.		(c) Responsibility for safeguarding special nuclear materials; high-level radioactive wastes and nuclear facilities.
	(h) Employment of noncitizens.	5845.	Office of Nuclear Regulatory Research.
5816a.	Repealed.		(a) Establishment; appointment of Director.
5817.	Powers of Administrator.		(b) Functions of Director.
	(a) Research and development.		(c) Cooperation of Federal agencies.
	(b) Facilities and real property.		(d) Responsibility for safety of activities.
	(c) Services for employees at remote locations.		(e) Information and research services.
	(d) Acquisition of copyrights and patents.		(f) Improved safety systems research.
	(e) Dissemination of information.	5846.	Compliance with safety regulations.
	(f) Gifts and bequests.		(a) Notification to Commission of non-compliance.
5817a.	Employee-suggested research projects; approval; funding; reports.		(b) Penalty for failure to notify.
5818.	Repealed.		(c) Posting of requirements.
5819.	Report to Congress on future reorganization.		(d) Inspection and enforcement.
5820.	Coordination with environmental efforts.	5847.	Nuclear energy center site survey.
5821.	Annual authorization Acts.	5848.	Abnormal occurrence reports.
	(a) General requirements; applicability to appropriations.	5849.	Other officers.
	(b) Requirements and limitations respecting funds appropriated for operating expenses.		(a) Executive Director.
	(c) Additional requirements and limitations respecting funds appropriated for operating expenses.		(b) Functions of Executive Director.
	(d) Requirements respecting amounts appropriated in annual appropriation Act for use in programs in excess of amount actually authorized for use in program not presented to, or requested of Congress; reduction in aggregate amount available for categories of coal, etc., from sums appropriated.		(c) Equal employment opportunity report.
	(e) Requirements and limitations respecting merger of amounts appropriated for operating expenses or for plant and capital equipment.		(d) Annual status report.
	(f) Availability until expended of amounts appropriated for operating expenses or for plant and capital equipment.		(e) Additional officers.
	(g) Performance of construction design services by Administrator.	5850.	Unresolved safety issues plan.
	(h) Retention and use for operating expenses, and availability until expended, of moneys received by Administration; exceptions.	5851.	Employee protection.
			(a) Discrimination against employee.
			(b) Complaint, filing and notification.
			(c) Review.
			(d) Jurisdiction.
			(e) Commencement of action.
			(f) Enforcement.
			(g) Deliberate violations.
			(h) Nonpreemption.
			(i) Posting requirement.
			(j) Investigation of allegations.
		5852.	Availability of funds.
			(a) Appropriations for salaries and expenses; additional purposes.

Sec.

- (b) Appropriations for Office of Inspector General; additional purposes.
- (c) Use of program funds for salaries and expenses.
- (d) Use of funds to provide voluntary separation incentive payments.
- (e) Fiscal year applicability.

SUBCHAPTER III—MISCELLANEOUS AND TRANSITIONAL PROVISIONS

5871. Transitional provisions.
- (a) Lapse of agency or other body from which functions or programs have been transferred and positions or offices therein.
 - (b) Continuation of orders, determinations, rules, etc.
 - (c) Effect of chapter on proceedings pending before Atomic Energy Commission or other department or agency.
 - (d) Effect of chapter on suits commenced prior to effective date.
 - (e) Abatement of suits, actions, or other proceedings by or against officer, department, or agency.
 - (f) Continuation of suits; substitution of parties.
 - (g) Judicial review of orders and actions in performance of transferred functions; statutory requirements relating to notices, hearings, action upon record, or administrative review.
 - (h) References in other laws to department, agency, officer, or office whose functions have been transferred deemed reference to Administration, Administrator, or Commission.
 - (i) Limitation, curtailment, etc., of presidential functions or authority.
 - (j) References in chapter to provision of law deemed to include references thereto as amended or supplemented.
 - (k) Functions conferred by chapter deemed in addition to and not substitution for functions existing before effective date.
5872. Transfer of personnel.
- (a) Provisions of law applicable.
 - (b) Prohibition against separation or reduction in grade or compensation for one year after transfer.
 - (c) Compensation in new position at not less than rate provided for previous position.
5873. Director of Office of Management and Budget; power to make dispositions.
5874. Definitions.
5875. Authorization of appropriations.
5876. Comptroller General audit.
5877. Reports to President for submission to Congress.
- (a) Report by Administrator on activities of Administration.
 - (b) Review of desirability and feasibility of transferring functions of Administrator respecting military application and restricted data to Department of Defense or other Federal agencies; report by Administrator.
 - (c) Report by Commission on activities of Commission.
5878. Information to Congressional committees.
- 5878a. Funding and encouragement of small business; information for inclusion in report.
5879. Transfer of funds.

SUBCHAPTER IV—SEX DISCRIMINATION

5891. Sex discrimination prohibited.

CHAPTER REFERRED TO IN OTHER SECTIONS

This chapter is referred to in sections 5905, 7135a, 7259a, 10141, 10155 of this title; title 15 sections 2507, 2705; title 22 section 3203.

§ 5801. Congressional declaration of policy and purpose

(a) Development and utilization of energy sources

The Congress hereby declares that the general welfare and the common defense and security require effective action to develop, and increase the efficiency and reliability of use of, all energy sources to meet the needs of present and future generations, to increase the productivity of the national economy and strengthen its position in regard to international trade, to make the Nation self-sufficient in energy, to advance the goals of restoring, protecting, and enhancing environmental quality, and to assure public health and safety.

(b) Necessity of establishing Energy Research and Development Administration

The Congress finds that, to best achieve these objectives, improve Government operations, and assure the coordinated and effective development of all energy sources, it is necessary to establish an Energy Research and Development Administration to bring together and direct Federal activities relating to research and development on the various sources of energy, to increase the efficiency and reliability in the use of energy, and to carry out the performance of other functions, including but not limited to the Atomic Energy Commission's military and production activities and its general basic research activities. In establishing an Energy Research and Development Administration to achieve these objectives, the Congress intends that all possible sources of energy be developed consistent with warranted priorities.

(c) Separation of licensing and regulatory functions of Atomic Energy Commission

The Congress finds that it is in the public interest that the licensing and related regulatory functions of the Atomic Energy Commission be separated from the performance of the other functions of the Commission, and that this separation be effected in an orderly manner, pursuant to this chapter, assuring adequacy of technical and other resources necessary for the performance of each.

(d) Small business participation

The Congress declares that it is in the public interest and the policy of Congress that small business concerns be given a reasonable opportunity to participate, insofar as is possible, fairly and equitably in grants, contracts, purchases, and other Federal activities relating to research, development, and demonstration of sources of energy efficiency, and utilization and conservation of energy. In carrying out this policy, to the extent practicable, the Administrator shall consult with the Administrator of the Small Business Administration.

(e) Priorities

Determination of priorities which are warranted should be based on such considerations as